

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT General Services	(2) MEETING DATE 8/21/2012	(3) CONTACT/PHONE Katie Perez, Deputy Director (805) 781-5200 <div style="text-align: right;">iw</div>	
(4) SUBJECT Request to transfer two County parcels, comprised of an unused strip of Fern Canyon Road in the Paso Robles area, to adjoining land owners. The request includes approval of a Resolution declaring the two parcels as surplus and execution of Quitclaim Deeds to complete the transfer. District 1			
(5) RECOMMENDED ACTION General Services recommends your Board: 1) Adopt a Resolution declaring two County owned strip parcels of real property located near Paso Robles as surplus; 2) Execute two Quitclaim Deeds for conveyance of said property to the adjacent property owners; 3) Authorize the Director or her designee to execute any remaining documents necessary to complete the two transactions; 4) Instruct the Clerk to record the documents and provide copies to General Services.			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business (Time Est. _____)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: <u>11/9/2004, item B-8</u>	
(17) ADMINISTRATIVE OFFICE REVIEW Vincent Morici			
(18) SUPERVISOR DISTRICT(S) District 1 -			

County of San Luis Obispo



TO: Board of Supervisors

FROM: General Services / Katie Perez, Deputy Director
(805) 781-5206

DATE: 8/21/2012

SUBJECT: Request to transfer two County parcels, comprised of an unused strip of Fern Canyon Road in the Paso Robles area, to adjoining land owners. The request includes approval of a Resolution declaring the two parcels as surplus and execution of Quitclaim Deeds to complete the transfer. District 1

RECOMMENDATION

General Services recommends your Board: 1) Adopt a Resolution declaring two County owned strip parcels of real property located near Paso Robles as surplus; 2) Execute two Quitclaim Deeds for conveyance of said property to the adjacent property owners; 3) Authorize the Director or her designee to execute any remaining documents necessary to complete the two transactions; 4) Instruct the Clerk to record the documents and provide copies to General Services.

DISCUSSION

The strip of land known as Fern Canyon Road strip is an unclaimed subdivision remnant that was tax defaulted to the State and then conveyed to the County by Resolution and Tax Deed as recorded on October 24, 1966. The property was added to the General Services Real Property inventory at that time. The strip is 39.6 feet wide and 958.4 feet long. The two adjacent property owners are being deeded the portion of the remnant that adjoins their property. A market value determination was done by the County Right of Way Agent showing that the excess land does not add any value to the adjoining parcels. The land was determined to have nominal value. Nominal value is defined as a value that is not measurable and is otherwise insignificant.

Subsequently, County Public Works processed a Resolution, approved by your Board November 9, 2004, vacating a strip portion of Fern Canyon Road, as requested by the two adjoining neighbors. The County Planning and Building Director issued a General Plan Conformity Report that considered the proposed conveyance pursuant to County Code Section 21.02.010 (a)(9) and determined that the conveyance constitutes a Legal Public Lot and does not require a Voluntary Lot Merger. In a normal road vacation process, the adjacent owners already own the underlying fee parcel, therefore it is not necessary to deed the property to the adjacent owners. In this case, the adjacent owners did not own the underlying fee, the County did. After several years, it was noted that, although the vacation of the strip had been executed, no deeds were ever processed. The strip of land had in fact never been accepted into the County road system, it was still in the General Services land inventory. The two adjacent property owners have been contacted and are in agreement that the strip be conveyed via Quitclaim Deed and recorded.

The action by your Board today will complete the process by deeding the strip of land to the adjacent property owners. The land is not required for County use and the conveyance to the adjacent property owners will return the property to a taxable status and eliminate liability concerns related to County fee ownership.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel has reviewed the Resolution, and Quitclaim Deeds as to form and legal effect. Public Works vacated the

strip of land and has assisted with the preparation of documents and established the land has a nominal value. County Planning and Building issued a General Plan Conformity Report for the proposed transfer which was received and filed by the County Planning Commission on October 14, 2004 under File No. SUB2004-0039. County Planning and Building affirmed that Public Lot Determinations and Voluntary Lot Mergers are not required. The County Environmental Coordinator issued ED11-002 determining that this transaction has no potential for a significant environmental effect and is therefore Categorically Exempt pursuant to Section 15206(b)(4).

FINANCIAL CONSIDERATIONS

There is no financial consideration being exchanged for the Quitclaim Deeds. County Public Works staff appraiser established that the strip parcels of land have nominal values which are documented in a duly approved Appraisal Report. The appraisals support that the fee remnants do not add a measurable value to the two adjoining properties. Transferring these properties is consistent with the County's long term goal to reduce its risk profile by disposing of these miscellaneous real property interests. As such, no financial consideration is contemplated.

RESULTS

Adoption of the Resolution, execution of the Quitclaim Deeds and authorization of the General Services Agency Director or her designee to execute any remaining documents necessary to complete the two transactions will accomplish transferring the strip parcels of land not needed for County use to the adjacent property owners. This action contributes to the Community-wide result of "A Well Governed Community".

ATTACHMENTS

1. Vicinity Map
2. Fern Canyon Resolution to Quitclaim with Attachments
3. Esmond Quitclaim Deed
4. York Quitclaim Deed